

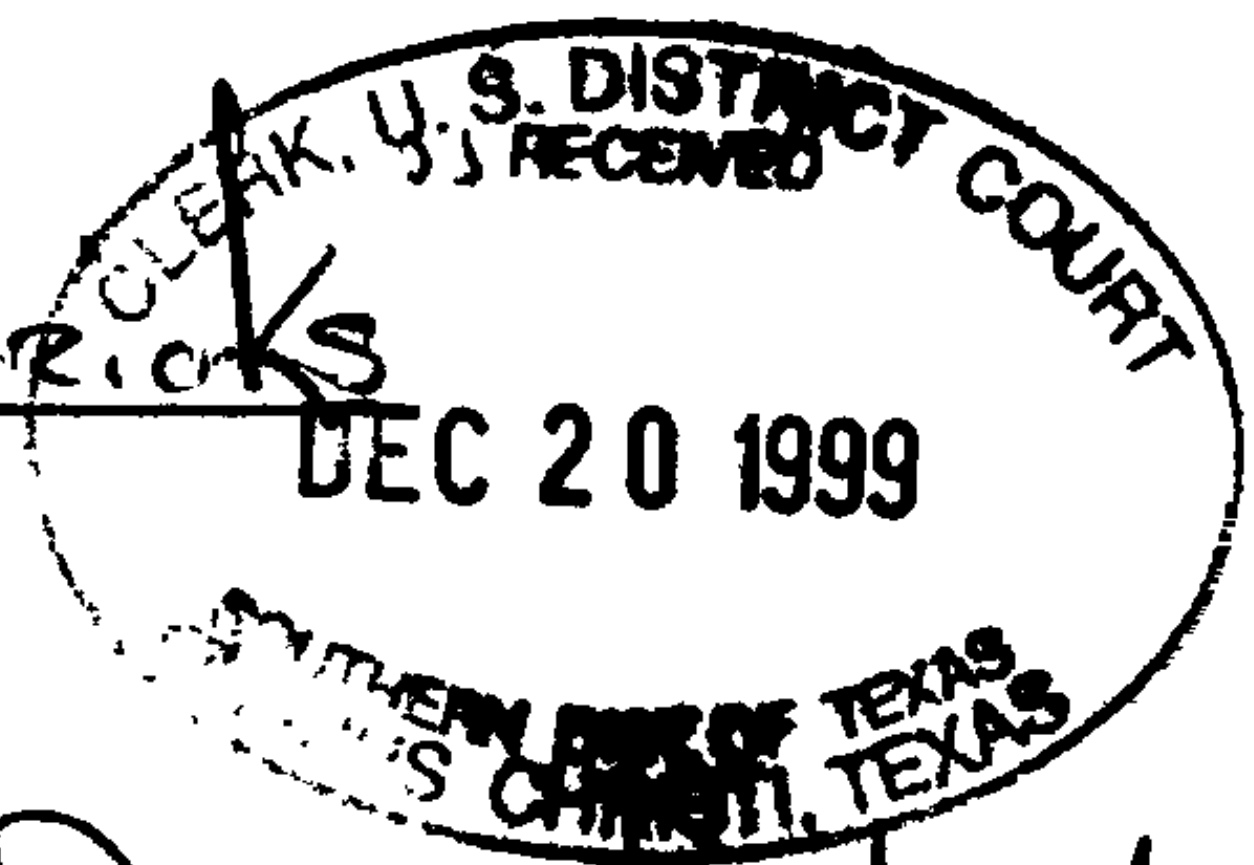
Hon. Michael N. Milby
U.S. District Court
Southern District of Tx
P.O. Box 61010
Houston Tx.

99mc 101
UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED

DEC 1 1999 EC

Michael N. Milby, Clerk of Court

Re: Prisoners Litigation Reform Act "four sticks"



To: Hon. Michael N. Milby
I have four Prisoners Litigation Reform Act sticks
against me in 0:92-cv-308 and the other sticks are
in Ruiz vs. Scott H-78-CV-987 and in H-78-CV-987
a strike was because I asked the court \$589 I
don't and did have any money. Upon that court
order I don't have any money nor had any money
since Jan. 1997. And enclosed is
and is the proof of that situation the last time
I had any money.

So please read attached documentation to your
Corpus Christi Tx office. I seek permission to
proceed in your court because prison admin is
depriving me of my freedom liberty because prison
admin is depriving of good time at a false
discipline as in U.S. v. Wallace 673 F.2d 205

Edwards vs Balsok, 117 S.Ct. 1584 1587 (1997)

(2) There is however, this critical difference from Heck: Responder in his amended complaint limited his request to damages for depriving him of good-time credits with out due process of law

I've also being deprived of other good time with out due process of law and have dual discharge dates at the same sentence

Admiral Plase attached documentation to your Corpus Christi Tx office to seek permission to proceed into court on this situation and to proceed "1983 civil action"

I declare (state / verify / certify) under the penalty of perjury the foregoing is true and correct

Signed this the 6 day of Dec 1999

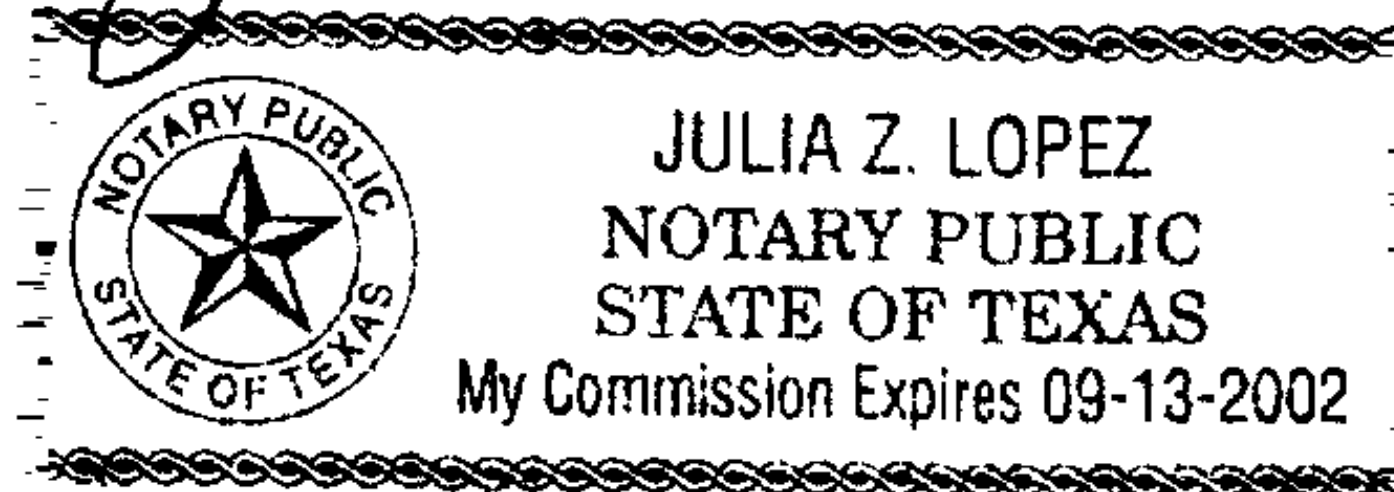
Thomas Davis Jr
Thomas C Davis Jr No. 34/2624
MC Connell Unit
3001 South Emily Drive
Beville Tx 78102-9444

P.S. my fingers are seriously crippled so I'm unable as a result to bring litigation into court with out assistance of course

CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 12/07/99
 ML18/SEN9611 IN-FORMA-PAUPERIS DATA 08:19:04
 TDCJ#: 00342624 SID#: 03021735 LOCATION: MCCONNELL INDIGENT DTE: 01/24/96
 NAME: DAVIS, THOMAS CHARLES JR. BEGINNING PERIOD: 06/01/99
 PREVIOUS TDCJ NUMBERS:
 CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 0.00
 6MTH DEP: 0.00 6MTH AVG BAL: 0.00 6MTH AVG DEP: 0.00
 MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS
 11/99 0.00 0.00 08/99 0.00 0.00
 10/99 0.00 0.00 07/99 0.00 0.00
 09/99 0.00 0.00 06/99 0.00 0.00
 PROCESS DATE HOLD AMOUNT HOLD DESCRIPTION

STATE OF TEXAS COUNTY OF Bee
 ON THIS THE 17th DAY OF Dec, 1999 I CERTIFY THAT THIS DOCUMENT IS A TRUE,
 COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE
 COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG:
 PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____

Julia Z. Lopez



IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U.S. COURT OF APPEALS
FILED

AUG 27 1999

CHARLES R. FULBRUGE III
CLERK

No. 98-41438

THOMAS C. DAVIS, JR.,

Plaintiff-Appellant,

versus

WILLIAM J. CLINTON, President,
United States,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:98-CV-560

ON PETITION FOR REHEARING

()

Before EMILIO M. GARZA, BENAVIDES, and PARKER, Circuit Judges.

IT IS ORDERED that the petition for rehearing is DENIED.

FOR THE COURT:


EMILIO M. GARZA
UNITED STATES CIRCUIT JUDGE

CLERK'S NOTE:

SEE FRAP AND LOCAL
RULES 41 FOR STAY OF THE
MANDATE.

Also a prison L. Legal Reform Act strike, 1/1
6:98 - cv - 560

MAGRR MOTREF
APPEAL BENCH
TRACK3

U.S. District Court
Texas, Eastern (Tyler)

CIVIL DOCKET FOR CASE #: 92-CV-308

Davis v. Collins, et al
Assigned to: Judge John Hannah, Jr.
Referred to: Magistrate Judge Harry W. McKee
Demand: \$0,000
Lead Docket: None
Dkt# in other court: None
Nature of Suit: 550
Jurisdiction: Federal Question
Filed: 05/22/92

Cause: 42:1983 Prisoner Civil Rights

THOMAS C DAVIS, JR
plaintiff

Thomas C Davis, Jr
342624
[NTC] [PRO SE]
MI
Michael Unit
P O Box 4500
Tennessee Colony, TX 75886

v.

JAMES A. COLLINS, Director of
TDCJ-ID
defendant

JIMMIE E ALFORD, Warden of
Michael Unit
defendant

PEGGY THOMPSON, Coordinator of
Interstate Corrections
defendant

INTERNAL USE ONLY: Proceedings include all events.
 6:92cv308 Davis v. Collins, et al

MAGRR MOTREF
 APPEAL
 BENCH TRACK3

5/22/92 1 Motion by Thomas C Davis Jr to proceed in forma pauperis
 (Tendered for Filing on 5/21/92) (pad) [Entry date 05/28/92]

5/22/92 2 Original Complaint filed (Tendered for Filing on 5/21/92)
 (pad) [Entry date 05/28/92]

5/28/92 3 In compliance with Article One of the Civil Justice Expense
 and Delay Reduction Plan, and after a review of the
 pleadings, this action has been assigned to track 2 for
 case management purposes. (pad)

6/1/92 4 Order referring case to Magistrate Judge Harry W. McKee
 (copy file sent) (signed by Judge William W. Justice)
 cc:pla on 6/1/92 (pad)

12/2/92 5 Report and Recommendations of Magistrate Judge Harry W.
 McKee that the pla's lawsuit be dismissed w/out prej as
 frivolous and that the pla's request to proceed ifp be
 denied. Objections to R and R due by 12/14/92 (pad)

12/14/92 6 Acknowledgement by Thomas C Davis Jr of receipt on
 12/8/92., Objections reset to 12/18/92 for [5-1] report
 and recommendations (pad) [Entry date 12/15/92]

12/15/92 7 Objections by Thomas C Davis Jr to [5-1] report and
 recommendations (pad)

1/11/93 8 Amended Objections by Thomas C Davis Jr to [5-1] report and
 recommendations (pad) [Entry date 01/12/93]

3/18/93 9 Order denying [1-1] motion to proceed in forma pauperis
 subject to a determination that he should be allowed to
 proceed on his claims. (signed by Magistrate Judge Harry
 W. McKee) cc:pla & dft on 3/19/93 (pad)
 [Entry date 03/19/93]

3/19/93 -- Magistrate Report forwarded to Judge William W. Justice
 (pad)

3/29/93 10 Final Judgment. It is ORDERED that the pla's lawsuit is
 DISMISSED w/out prej as frivolous. It is further ORDERED
 that the pla's request to proceed ifp is hereby DENIED. It
 further is ORDERED that all motions not previously ruled on
 are hereby DENIED. (signed by Judge William W. Justice)
 cc:pla & dft on 3/30/93 (pad) [Entry date 03/30/93]

9/16/97 11 MOTION by Thomas C Davis Jr for leave to file Untimely
 Notice of Appeal cc: WWJ, HWM, 5CCA (11)
 [Entry date 09/17/97]

9/16/97 12 Motion by Thomas C Davis Jr to proceed in forma pauperis (11)
 [Entry date 09/17/97]

INTERNAL USE ONLY: Proceedings include all events.
6:92cv308 Davis v. Collins, et al

MAGRRE MOTREF
APPEAL
BENCH TRACK3

9/17/97 13 Motion by Thomas C Davis Jr for appointment of counsel for purposes of appeal. (11) [Entry date 09/18/97]

9/17/97 14 Change of address by Thomas C Davis Jr from: Jordan Unit to: Michael Unit (11) [Entry date 09/18/97]

10/29/97 15 ORDER denying as moot [13-1] motion for appointment of counsel, denying as moot [12-1] motion to proceed in forma pauperis, denying [11-1] motion for leave to file Untimely Notice of Appeal, and that no appeal fees shall be charged to the pla as a result of the filing of this motion. signed by Judge William W. Justice) cc: WWJ, parties 10/29/97 (11)

11/10/97 16 Notice of appeal by Thomas C Davis Jr (notice of appeal and docket sheet sent to Fifth Circuit) cc: WWJ, HWM, parties 11/18/97 (11) [Entry date 11/18/97]

12/17/97 -- Notice of Docketing ROA from USCA Re: [16-1] appeal USCA NUMBER: 97-41453 (kjr)

12/29/97 17 Motion by Thomas C Davis Jr to proceed in forma pauperis on appeal (kjr) [Entry date 12/30/97]

3/26/98 18 ORDER denying [17-1] motion to proceed in forma pauperis & certifying that Davis' appeal is not taken in good faith (signed by Judge William W. Justice) cc parties, USCA 3/27/98 (kjr) [Entry date 03/27/98]

3/30/98 -- Certified and transmitted record on appeal to U.S. Court of Appeals: [16-1] appeal (1 vol pp 1-22 doc #s 11-18) Note: Document #s 1-10 at FRC; if needed, USCA will advise (kjr)

4/2/98 19 MOTION by Thomas C Davis Jr for return of exhibits (kjr) [Entry date 04/14/98]

4/29/98 -- Requested file from FRC for appeal purposes (kjr)

4/30/98 -- USCA Notice of receipt of record on appeal on 4/1/98 (kjr) [Entry date 05/01/98]

5/18/98 -- Certified and transmitted supplemental record on appeal to U.S. Court of Appeals: [16-1] appeal (1 vol pp 1-31) (kjr)

6/15/98 -- USCA Notice of receipt of supplemental ROA on 5/20/98 (kjr)

6/16/98 -- Case reassigned to Judge John Hannah Jr. (m11)

6/16/98 20 ORDER referring [19-1] motion for return of exhibits to Magistrate Judge Harry W. McKee (signed by Judge John Hannah Jr.) cc:pltf 6-16-98 (m11)

6/23/98 21 ORDER denying [19-1] motion for return of exhibits (signed by Magistrate Judge Harry W. McKee) cc HWM, parties, USCA by email 6/24/98 (kjr) [Entry date 06/24/98]

INTERNAL USE ONLY: Proceedings include all events.
 6:92cv308 Davis v. Collins, et al

MAGRR MOTREF
 APPEAL
 BENCH TRACK3

6/26/98 22 Certified copy of judgment of USCA dismissing [16-1] appeal
 USCA #: 97-41453 for want of prosecution for failure of
 appellant to file brief in support of motion for ifp within
 the time fixed by the rules. For the court - by direction.
 Issued as mandate 6/24/98 cc JH, HWM, JE 6/29/98 (kjr)
 [Entry date 06/29/98]

6/26/98 -- Record on appeal returned from U.S. Court of Appeals: (2
 vols) (kjr) [Entry date 06/29/98]

8/4/98 23 UCA ORDER reinstating appeal. Letter order issued 7/21/98
 by USCA. cc JH, HWM, JE 8/6/98 (kjr) [Entry date 08/06/98]

8/4/98 -- Reopen [16-1] appeal per USCA order (kjr)
 [Entry date 08/06/98]

8/10/98 24 Motion by Thomas C Davis Jr to proceed in forma pauperis
 on appeal - data sheet (kjr) [Entry date 08/17/98]

8/19/98 25 MOTION by Thomas C Davis Jr to amend [2-1] complaint (kjr)
 [Entry date 08/20/98]

8/26/98 26 ORDER mooting [24-1] motion to proceed in forma pauperis,
 to pay 20 percent of each deposit made into the
 plaintiff's trust account (signed by Judge John Hannah
 Jr.) cc parties, USCA, finance, Rives, Local Funds 8/26/98
 (kjr)

8/26/98 27 ORDER denying [25-1] motion to amend [2-1] complaint (
 signed by Judge John Hannah Jr.) cc parties 8/26/98 (kjr)

9/3/98 -- Certified and transmitted record on appeal to U.S. Court of
 Appeals: [16-1] appeal (2 vols - Vol I pp 1-31; Vol II pp
 1-37) (kjr)

9/23/98 -- USCA Notice of receipt of ROA (kjr) [Entry date 09/25/98]

10/1/98 28 Motion by Thomas C Davis Jr for appointment of counsel (mll)
 [Entry date 10/07/98]

10/13/98 29 MOTION by Thomas C Davis Jr to extend time to file brief,
 for copies (kjr)

10/13/98 30 ORDER denying [28-1] motion for appointment of counsel (
 signed by Magistrate Judge Harry W. McKee) cc:pltf
 10-15-98 (mll) [Entry date 10/15/98]

10/13/98 33 MOTION by Thomas C Davis Jr for application for waiver of
 local rules (ehs) [Entry date 10/21/98]

10/19/98 31 MOTION by Thomas C Davis Jr to produce documents (mll)
 [Entry date 10/20/98]

INTERNAL USE ONLY: Proceedings include all events.
 6:92cv308 Davis v. Collins, et al

MAGRRE MOTREF
 APPEAL
 BENCH TRACK3

10/19/98 32 ORDER denying [29-1] motion to extend time to file brief, denying [29-2] motion for copies (signed by Judge John Hannah Jr.) cc: JH, USCA, all parties 10/21/98 (ehs) [Entry date 10/21/98]

10/27/98 34 ORDER denying [31-1] motion to produce documents (signed by Magistrate Judge Harry W. McKee) cc: all parties, USCA 11/2/98 (ehs) [Entry date 11/02/98]

10/27/98 35 ORDER denying [33-1] motion for application for waiver of local rules (signed by Magistrate Judge Harry W. McKee) cc: all parties, USCA 11/2/98 (ehs) [Entry date 11/02/98]

11/1/98 36 Notice of appeal by Thomas C Davis Jr of [30-1] order denying appointment of cnsl. Fee Status: not paid (notice of appeal and docket sheet sent to Fifth Circuit) cc: all parties, USCA, JH, HWM 11/3/98 (ehs) [Entry date 11/03/98]

11/12/98 37 ORDER that Clerk shall return the Pla's "brief and amend" to him unfiled (signed by Judge John Hannah Jr.) cc: Davis w/brief 11/12/98 (ehs)

11/13/98 38 ORDER, to pay 20 percent of each deposit made into the plaintiff's trust account (signed by Judge John Hannah Jr.) cc: all parties, JH, HWM, USCA, Rives, Local Funds 11/16/98 (ehs) [Entry date 11/16/98]

11/24/98 39 Acknowledgement by Thomas C Davis Jr of receipt on 11/20/98 of order 37. (ft) [Entry date 11/25/98]

11/27/98 40 Acknowledgement by Thomas C Davis Jr of receipt of Full fee order #38 on (no date or signature on card) . (ehs) [Entry date 11/30/98]